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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,346	04/18/2001	Nathaniel L. Herring	41505	9940

1609 7590 11/20/2002

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EXAMINER

DUVERNE, JEAN F

ART UNIT	PAPER NUMBER
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2839

DATE MAILED: 11/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/836,346

Applicant(s)  
Herring et al

Examiner  
Jean Duverne

Art Unit  
2839



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Apr 18, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 20) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 U.S.C. § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7, 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The terms "keyston envelope" as recited in the claims are unclear. Further clarification is required.

### *Claim Rejections - 35 U.S.C. § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-9 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hardey (US patent 4,268,109) in view of Dorn (US patent 5,593,323).

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Hardesy's device discloses an adapter (30) comprising: a body having a longitudinal axis; a first longitudinal end defining a first opening at 60 therein; a second longitudinal end of the body defining a second opening at 60 therein coaxial to the first opening; a first plug (26) receivable in the first opening; and second plug (26) receivable in the second opening in at least a first position and a second position, the first position being angular offset relative to the second position about the longitudinal axis of the body, the plugs received from the face plate. The adapter having a second opening substantially symmetrical about a plane (see fig. 14) including the longitudinal axis and the first opening, an ion identification at 118, 128. The first opening is connected to the second opening through a passage or a recess at 451. However, Hardesy's device fails to explicitly disclose the second plug in the second position a polarity reversal of the system relative to placement of the second plug in the first direction. Dernhl's device discloses an adapter with second plug in the second position a polarity reversal (see abstract or col. 3, or fig. 3a and 3b) of the system relative to placement of the plug. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add the polarity reversal means such as the one taught in Dernhl's structure for improving the interconnection and reducing cost to redesign a new system with different polarity in device.

4. Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hardesy (US patent 4,268,109) in view of Dernh (US patent 5,593,323) as applied to claims 1-9 above, and further in view of de Jong et al (US patent 6,379,052).

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Hardesy's and Dernhl's devices disclose the aforementioned limitations, but fails to disclose the use of the MT-RJ plug. De jong's device discloses the use of the MT-RJ plug as coupler or adapter connector (see col. 5). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the MT-RJ plug, since it has been held to within the general skill of a worker in the art to select known material or part on the basis of its suitability for the intended use as a matter to meet system design requirement.

### *Conclusion*

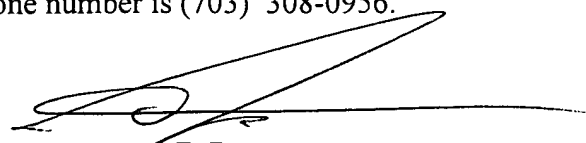
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duverne whose telephone number is (703) 305 - 0297 . The examiner can normally be reached from 8:30 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild, can be reached on (703)308-2710. The fax phone number for this Group is (703) 308 - 7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

JFD

November 17, 2002



Jean F. Duverne

Patent Examiner, Art Unit 2839